

REMARKS

Applicants have canceled claims 25-49 and added new claims 50-62 to better define Applicants' invention directed to a delivery system comprising a foam exterior and a composition enclosed by the foam exterior; the composition comprises certain active ingredients. Support for these amendments are found in the Specification and the original and previously presented claims.

No new matter has been added by the amendments. Entry is believed to be proper and respectfully requested.

Upon entry of this amendment, claims 50-62 are pending. No additional claim fee is due.

CLAIM REJECTIONS

Claim Rejection under 35 USC §112, second paragraph

Claims 25-28, 32, 33 and 35-38 are rejected under 35 USC 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Particularly, "coating" as claimed is indefinite and misdescriptive.

Applicants point out that Claims 25-49 have been canceled, thus the rejection is moot.

Withdrawal of the rejection is respectfully requested.

Claim Rejection under 35 USC §102

Claims 25-28, 32-35, 38-43, 45 and 48-49 are rejected under 35 USC 102(b) as being anticipated by US 5,958,589 to Glenn et al. (hereinafter "Glenn"). The Examiner states that Glenn teaches a process for encapsulating substances, such as pharmaceuticals and fragrances, using a foamed starch product, which is formed by increasing the pressure and temperature of a starch dispersion, followed by release of the pressure evaporating the liquid to form a cellular structure. The product may be in the form of spheres.

First, Applicants point out that Claims 25-49 have been canceled, thus the rejection is moot.

Withdrawal of the rejection is respectfully requested.

Second, Applicants submit that Glenn does not disclose a delivery system comprising a foam exterior which encloses a composition comprising certain active ingredients in Applicants' invention. Therefore, Glenn does not anticipate the present invention.

Claim Rejection under 35 USC §103 over Glenn

Claims 25-28, 32-35, 38-43, 45 and 48-49 are rejected under 35 USC 103(a) as being unpatentable over Glenn because fabric care composition, fabric conditioning composition or cleaning composition does not exclude the composition disclosed in Glenn, nor is there evidence that

fragrance composition is exclude from those claimed compositions. The Examiner further states that Glenn teaches liquid or solid substances may be encapsulated.

First, Applicants point out that Claims 25-49 have been canceled, thus the rejection is moot.

Withdrawal of the rejection is respectfully requested.

Second, Applicants submit that there is teaching or suggestion in Glenn of a delivery system comprising a foam exterior for enclosing and delivering Applicants' active ingredients. Therefore, Glenn does not render the presently claimed invention obvious.

Applicants respectfully request reconsideration and withdrawal of the rejection.

Claim Rejection under 35 USC §103 over Glenn in view of GB 1084301

Claims 36 and 37 are rejected under 35 USC 103(a) as being unpatentable over Glenn in view of GB 1084301 (hereinafter "GB '301 patent"). The Examiner states that Glenn applies as above and GB reference teaches the addition of glycerol to formed starch coating to plasticize the product. Thus, it would have been obvious to one of ordinary skill in the art to add a plasticizer such as glycerol to the composition of Glenn because GB '301 teaches plasticizing starch foams.

First, Applicants point out that Claims 36 and 37 have been canceled, thus the rejection is moot.

Withdrawal of the rejection is respectfully requested.

Applicants further submit that claims 56 and 57, which are based on the canceled claims 36 and 37, are patentable over Glenn and GB '301 because the cited references do not teach or suggest a delivery system comprising a foam exterior for enclosing and delivering Applicants' active ingredients in Applicants' invention. Therefore, the combined references do not render the presently claimed invention obvious.

Applicants respectfully request reconsideration and withdrawal of the rejection.

CONCLUSION

Applicant believes the present amendment is fully responsive and places Claims 50-62 in condition for allowance.

In the event that issues remain prior to allowance of the noted claims, the Examiner is invited to call Applicant's undersigned attorney to discuss any remaining issues.

Respectfully Submitted,
FOR: Corrand et al.



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